

Chapter Twenty-Three

CATEGORICAL EXCLUSIONS

BUREAU OF DESIGN AND ENVIRONMENT MANUAL

Chapter Twenty-Three
CATEGORICAL EXCLUSIONS

Table of Contents

<u>Section</u>	<u>Page</u>
23-1 GENERAL	23-1(1)
23-1.01 Definition.....	23-1(1)
23-1.02 Applicability to Federal Actions.....	23-1(1)
23-1.03 Applicability to Non Federal-Aid Actions.....	23-1(1)
23-1.04 Development	23-1(2)
23-1.04(a) Evaluation for Unusual Circumstances	23-1(2)
23-1.04(b) Federal Actions (Compliance with Requirements)	23-1(2)
23-1.04(c) Non Federal-Aid Actions (Compliance with Requirements).....	23-1(2)
23-1.05 CE Procedures	23-1(3)
23-1.05(a) CE “Groups”	23-1(3)
23-1.05(b) Potential for Unusual Circumstances	23-1(3)
23-1.05(c) Group I Actions	23-1(5)
23-1.05(d) Group II Actions	23-1(8)
23-2 ENVIRONMENTAL CLASS OF ACTION DETERMINATION (ECAD).....	23-2(1)
23-2.01 General.....	23-2(1)
23-2.01(a) Background	23-2(1)
23-2.01(b) Eligible Projects	23-2(1)
23-2.01(c) Documentation	23-2(2)
23-2.01(d) Procedures.....	23-2(2)
23-2.02 Guidance for Resource Impact Analysis and Documentation	23-2(7)
23-2.02(a) Applicability	23-2(7)
23-2.02(b) Social/Economic	23-2(7)
23-2.02(c) Agricultural	23-2(9)
23-2.02(d) Cultural.....	23-2(9)
23-2.02(e) Air Quality	23-2(11)
23-2.02(f) Noise.....	23-2(13)
23-2.02(g) Energy.....	23-2(13)
23-2.02(h) Natural Resources	23-2(14)
23-2.02(i) Water Quality/Resources	23-2(15)

Table of Contents

(Continued)

<u>Section</u>	<u>Page</u>
23-2.02(j) Flood Plains	23-2(17)
23-2.02(k) Wetlands	23-2(18)
23-2.02(l) Special Waste	23-2(19)
23-2.02(m) Special Lands	23-2(22)
23-2.02(n) Other Issues.....	23-2(23)
23-2.02(o) Permits Required	23-2(23)
23-2.02(p) List of Preparers.....	23-2(23)
 23-3 THE CE PROCESS	 23-3(1)
Activity 01: Initiate CE Process	23-3(4)
Activity 02: Inventory and Evaluate Project Alternatives	23-3(5)
Activity 03: Initiate Early Coordination.....	23-3(6)
Activity 04: Evaluate Alternatives for Unusual Circumstances.....	23-3(8)
Activity 05: Prepare Environmental Documentation.....	23-3(9)
Activity 06: Notify Public/Affected Agencies.....	23-3(10)
Activity 07: Secure CE Approval	23-3(11)
 23-4 ENVIRONMENTAL DOCUMENTATION IN PHASE I ENGINEERING REPORTS FOR CATEGORICAL EXCLUSIONS	 23-4(1)
23-4.01 General.....	23-4(1)
23-4.02 Content.....	23-4(1)
23-4.03 Processing.....	23-4(2)

CHAPTER TWENTY-THREE

CATEGORICAL EXCLUSIONS

Chapter 23 discusses IDOT procedures for those projects which may be classified as Categorical Exclusions, including projects which may be processed under the Department's Environmental Class of Action Determination (ECAD) procedures.

23-1 GENERAL

23-1.01 Definition

References: 40 CFR 1508.4 *Categorical Exclusion Definition*
23 CFR 771.115(b) *Class II (CE) Action Definition*
Section I of FHWA Technical Advisory T6640.8A *Categorical Exclusion*

The *CEQ Regulations* provide the following definition for Categorical Exclusions (CE):

Categorical Exclusion means a category of actions which do not individually or cumulatively have a significant effect on the human environment ... for which, therefore, neither an environmental assessment nor an environmental impact statement is required.

For Federal-aid highway projects, FHWA has designated CE's as Class II actions in 23 CFR 771.115(b).

23-1.02 Applicability to Federal Actions

References: 23 CFR 771.117(a) *Characteristics of CE Projects*
Paragraph I.A. of FHWA Technical Advisory T6640.8A *Documentation of Applicability*

The cited references further describe those types of actions which qualify as CE's.

23-1.03 Applicability to Non Federal-Aid Actions

Although Categorical Exclusion is a Federal concept, BDE also applies this concept to categories of State-only or State/locally funded actions that have been found not to involve significant environmental impacts. Non Federal-aid CE-type projects are excluded from the need to prepare

in-depth environmental documentation in accordance with Section 22-2.05(b), unless the project has unusual circumstances. Environmental documentation for non Federal-aid projects qualifying as CE's shall conform to Section 23-4.

23-1.04 Development

23-1.04(a) Evaluation for Unusual Circumstances

References: 23 CFR 771.117(b) *Unusual Circumstances*
Paragraph I.B. of FHWA Technical Advisory T6640.8A *Unusual Circumstances*

Each project proposed as a Categorical Exclusion must be evaluated for environmental factors that may involve unusual circumstances and/or that may require special studies or reports. In evaluating proposed Categorical Exclusion projects for unusual circumstances (e.g., significant impacts or controversy on environmental grounds), all aspects of the project must be considered, including any detours, runarounds, or ramp closures that the action will involve. For projects processed through the BDE environmental survey processes, the survey results will identify wetlands, biological resources, cultural resources, and special waste sites that may require special consideration and coordination. The district must ensure that these and other environmental issues (e.g., farmland impacts, Section 404 permit requirements, noise) are identified and appropriately considered in the evaluation of unusual circumstances.

23-1.04(b) Federal Actions (Compliance with Requirements)

References: Chapter 26 *Special Environmental Analyses*

Federal actions approved as Categorical Exclusions do not require further compliance with the NEPA process. However, such actions may require compliance with other Federal environmental controls (e.g., Section 4(f), Endangered Species Act, Executive Order 11990 - Wetlands, Executive Order 11988 - Flood Plains, Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA)).

23-1.04(c) Non Federal-Aid Actions (Compliance with Requirements)

Although State-only or State/locally funded actions generally do not require compliance with the NEPA process (except where an action requires a Federal permit), all such actions, including those approved as Categorical Exclusions, require appropriate analyses and coordination to evaluate their potential environmental impacts and ensure compliance with applicable State environmental controls (e.g., Interagency Wetland Policy Act, Farmland Preservation Act, Endangered Species Act, State Agency Historic Resources Preservation Act).

23-1.05 CE Procedures**23-1.05(a) CE “Groups”**

Specific Categorical Exclusion procedures for an action will depend upon its environmental factors and whether or not a Phase I Engineering Report is required for BDE; see Section 23-4. Procedural requirements are presented for the following categories:

1. Group I (Section 23-1.05(c)). Actions meeting the definition of Categorical Exclusion in Section 23-1.01 which do not involve potential for unusual circumstances. Actions in this group do not require project-specific concurrence of FHWA/BDE in their classification as Categorical Exclusions.
2. Group II (Section 23-1.05(d)). Actions that may be eligible for processing as Categorical Exclusions but which involve potential for unusual circumstances. Actions in this group require project-by-project concurrence of FHWA/BDE in their classification as Categorical Exclusions.

Figure 23-1A summarizes Categorical Exclusions requirements.

23-1.05(b) Potential for Unusual Circumstances

Reference: 23 CFR 771.117(b) *Unusual Circumstances*

To assist in distinguishing between Group I and Group II actions, an action has potential for unusual circumstances if it will:

1. involve in-stream work requiring non-routine mitigation measures. Routine mitigation measures are those required by the IDOT *Standard Specifications* (e.g., for erosion control, to prevent pollution of streams with harmful materials) and the “standard treatment” for haul roads (i.e., clean aggregate material with a suitable culvert for normal flows);
2. require an Individual Section 404 permit from the Corps of Engineers;
3. require additional right-of-way (including temporary or permanent grading easements) which involves relocation of residences or businesses or exceeds one or more of the following:
 - ten acres (four hectares) of prime farmland;
 - three acres per mile (0.75 hectare of land per kilometer) of roadway or ten acres (four hectares) total for a non-linear (spot) improvement (e.g., bridge, intersection); and/or

All Categorical Exclusion actions require:

- environmental evaluations to determine if there are unusual circumstances; and
- compliance with other environmental controls (e.g., Section 4(f), Section 106), as applicable.

Other requirements for specific Categorical Exclusion actions are summarized below:

Group	If Phase I Engineering Report Not Required for BDE	If Phase I Engineering Report is Required for BDE
Group I (Concurrence of FHWA/BDE in CE not required.)	<p>A. No documentation of CE approval required.</p> <p>B. District file should contain other appropriate project documentation, including evidence of compliance with other environmental controls, if applicable.</p>	<p>A. Transmittal to BDE should include:</p> <ul style="list-style-type: none"> • “Group I” certifying paragraph, and • Information on compliance with the Planning/Design Phase Special Waste Procedures and the need for/results of environmental surveys for the action (including coordination). <p>B. Actions should be discussed at coordination meetings as necessary to address engineering concerns. See Section 22-5.</p>
Group II (Concurrence of FHWA/BDE in CE is required.)	<p>A. Documentation of FHWA concurrence in CE determination should be retained in district files.</p> <p>B. District file should contain other appropriate project documentation, including evidence of compliance with other environmental controls, if applicable.</p>	<p>A. Transmittal to BDE should include:</p> <ul style="list-style-type: none"> • documentation of FHWA/BDE concurrence in the CE determination (if obtained at a coordination meeting or by telephone); • information on compliance with the Planning/Design Phase Special Waste Procedures and the need for/results of environmental surveys for the project (including coordination); • documentation of compliance with other environmental controls, if applicable; and • appropriate discussion of environmental issues for ECAD, or as specifically requested by FHWA/BDE.

**SUMMARY OF DEVELOPMENT AND PROCESSING REQUIREMENTS
FOR CATEGORICAL EXCLUSION ACTIONS**

Figure 23-1A

- land takings from 10 property owners;
- 4. require substantial changes in access control;
- 5. substantially increase 100-year flood water surface elevations;
- 6. involve impacts on wetlands (including temporary);
- 7. require preparation of a Biological Assessment for threatened or endangered species or adverse impacts to a natural area;
- 8. affect the characteristics that would qualify a historic or archaeological resource for inclusion on the National Register of Historic Places;
- 9. take land (permanent or temporary use) from a Section 4(f) resource; and/or
- 10. be controversial on environmental grounds or inconsistent with Federal, State, or local laws relating to the environment.

23-1.05(c) Group I Actions

Reference: 23 CFR 771.117(c) *Examples of Projects Which Typically Will Be Group I CE's*
Paragraph I.A. of FHWA Technical Advisory T6640.8A *Procedures for CE Projects*

These actions will not involve any of the factors listed in Section 23-1.05(b) as indicators of potential for unusual circumstances and, therefore, have prior concurrence as Categorical Exclusions. For projects that do not require a Phase I Engineering Report (see Chapter 12), no special documentation of this concurrence is required. However, appropriate project documentation (e.g., Certification Acceptance form, engineering analyses, cost data) should be retained in the district files.

For projects that do require a Phase I Engineering Report (see Chapter 12), the Report shall include the following certifying paragraph:

This project is of a type which qualifies as a Categorical Exclusion action. It has been determined not to involve any potential for unusual circumstances; therefore, it is eligible to be processed as a Group I Categorical Exclusion.

The Report also must include documentation of compliance with the Planning/Design Phase Special Waste Procedures and one of the following:

- a statement that the action does not meet the requirements for submitting an Environmental Survey Request;

- a copy of an Environmental Survey Request form for the project, signed by the appropriate BDE Environment Section Project Coordinator or by the Environment Section Cultural Resources Unit and Biological Resource Unit; or
- a copy of the final results of environmental surveys and related coordination.

Group I actions with Phase I Engineering Reports normally will be discussed at regularly scheduled district coordination meetings to address engineering concerns. Although Federal actions in this group do not require FHWA project-by-project concurrence in their classification as Categorical Exclusions, it will be necessary to consult with FHWA where approval is needed for use of the nationwide Section 404 permit for Categorical Exclusions. For projects discussed at coordination meetings, a copy of the relevant portion of the meeting minutes should be included in the Phase I Engineering Report.

Examples of actions that would typically qualify as Group I Actions include those listed in 23 CFR 771.117(c) and the following:

1. traffic signal modifications;
2. pavement markings not affecting the number of through traffic lanes;
3. anti-skid treatments;
4. curb and/or gutter repairs and construction of curb ramps for the handicapped;
5. bridge rehabilitation activities including:
 - bridge rail replacement and upgrading;
 - bridge deck overlay and waterproofing;
 - expansion joint replacement and upgrading;
 - bearing replacement and upgrading;
 - substantial repairs to deck including partial or full-depth patches;
 - painting of all structural steel for a particular bridge;
 - stringer replacement for a portion of the superstructure; and
 - repairs to damaged rails, corroded or damaged structural steel members, and deteriorated areas of concrete elements including sidewalks, curbs, watertables, girders, and portions of the substructure above ground or water;

6. lighting and electrical work including:
 - continuous and tower lighting,
 - tunnel lighting,
 - temporary lighting,
 - bridge lighting,
 - pedestrian lighting,
 - pumping station,
 - highway advisory radio,
 - control systems for changeable lanes,
 - traffic monitoring systems, and
 - changeable message signing;
7. erosion control work which may also include slope repair and reconstruction;
8. storm sewer installations to eliminate open ditches (which do not reduce necessary urban runoff storage/retention);
9. impact attenuator and glare screen installations;
10. highway/railroad grade crossing improvements including:
 - repair/rehabilitation of crossing proper,
 - rehabilitation of immediate roadway approaches to crossing, and
 - upgrading of crossing protection;
11. the following restoration-type projects:
 - retaining wall restoration,
 - fencing,
 - guardrail replacement and upgrading,
 - substantial pavement and shoulder patching/sealing,
 - resurfacing, and
 - restoration of drainage structures;
12. installation of turning lanes;
13. junkyard screening;
14. upgrading safety features;

15. approval of utility installations along or across a transportation facility, excluding longitudinal installations within the access control lines of Interstate and freeway rights-of-way;
16. alterations to existing buildings to provide for noise reduction;
17. emergency repairs under 23 USC 125 which do not substantially change the design of the facility and which are initiated during or immediately after the occurrence of a declared national disaster;
18. approval of air space agreements; and
19. disposal of excess right-of-way.

23-1.05(d) Group II Actions

References: 23 CFR 771.117(d) *Examples of Projects Which Typically Will Be Group II CE's*
Paragraph I.A. of FHWA Technical Advisory T6640.8A *Procedures for CE Projects*

These actions will involve one or more of the factors listed in Section 23-1.05(b) as indicators of potential for unusual circumstances. Group II actions require project-by-project concurrence of FHWA/BDE, as appropriate, in their classification as Categorical Exclusions. For Group II actions other than those processed under ECAD procedures, verbal concurrence ordinarily will be sufficient. This concurrence may be obtained at regularly scheduled district coordination meetings (see Section 22-5) or by telephone (for simple projects). Minutes of the meeting or a memorandum to the file, as appropriate, shall document the discussions and concurrence.

Projects processed under the Environmental Class of Action Determination (ECAD) procedures also will require FHWA concurrence in classifying the projects as Categorical Exclusions. Concurrence procedures for ECAD are discussed in Section 23-2.01(c).

Sufficient information must be available to permit FHWA/BDE to make an informed decision on the significance of any environmental effects involved. For projects that require processing of an Environmental Survey Request, verbal concurrence may be requested only after the district has obtained the results of the Integrated Environmental Survey Process (for biological resources [threatened and endangered species, wetlands, etc.] and cultural resources [archaeological and historic]). For projects that involve a site included on the Comprehensive Environmental Response, Compensation, and Liability Information System (CERCLIS), verbal concurrence may be requested only after the district has determined how the involvement with the CERCLIS site will affect the project. Occasionally, FHWA may request an environmental study of a particular issue area (e.g., wetlands study) prior to giving verbal concurrence. The minutes of the meeting will document FHWA's verbal concurrence plus any issues raised during the discussion. FHWA will be provided with a copy of these minutes.

For Group II actions that do not require a Phase I Engineering Report, documentation of concurrence in the classification as Categorical Exclusions should be retained in the district files. In addition, evidence of compliance with other environmental controls that may be applicable (e.g., Section 106 requirements) and documentation of coordination, as appropriate, should be included in the file for these actions.

For Group II actions that do require a Phase I Engineering Report, documentation of Categorical Exclusion concurrence shall be included in the Report. Where verbal concurrence is obtained, this documentation will be a copy of the relevant portion of coordination meeting minutes or memorandum to the file, as appropriate.

For Group II projects that would significantly increase capacity for single occupancy vehicles (i.e., by adding lanes to an existing highway or constructing a new highway) in areas designated as non-attainment for carbon monoxide or ozone (e.g., the Chicago Metro area or the St. Louis Metro East area) the Phase I Engineering Report must include information on Congestion Management System alternatives. (Lane additions for safety improvements or for elimination of bottlenecks are not considered to be projects that significantly increase capacity for single occupancy vehicles.) See Section 24-3.06 for recommended wording to address this requirement.

The Report also shall include documentation of compliance with the Planning/Design Phase Special Waste Procedures and other environmental controls, as appropriate (e.g., final response), and one of the following:

- a statement that the action does not meet the requirements for submitting an Environmental Survey Request;
- a copy of an Environmental Survey Request form for the project, signed by the appropriate BDE Environment Section Project Coordinator or by the Environment Section Cultural Resource Unit and Biological Resource Unit; or
- a copy of the final results of environmental surveys and related coordination.

As discussed in Section 23-2, all Group II actions processed under ECAD Procedures will require written documentation of the evaluation of environmental factors. For other Group II actions, there may be cases where, because of a high potential for significant environmental effects or controversy, FHWA/BDE may request a formal, written transmittal of specific environmental and project information for review prior to deciding on the Categorical Exclusion classification for the action. For some Federal actions, this may involve preparation of an EA to examine the full range of environmental effects of an action. This might occur, for example, where an action involves new technology or presents environmental impacts with which FHWA has little or no experience. A written transmittal of this information also may be appropriate where Categorical Exclusion concurrence is needed and it is not practical to resolve the matter at a coordination meeting or by telephone. When FHWA/BDE requests a written submittal of

this information, it will identify the issues to be addressed. In other cases, the information should respond to those factors relevant to the action proposed. The information should be submitted to BDE. BDE will coordinate with FHWA, as necessary.

23-2 ENVIRONMENTAL CLASS OF ACTION DETERMINATION (ECAD)

23-2.01 General

Reference: Chapter 12 *Phase I Engineering Reports*
Section 22-2 *Environmental Documentation*

23-2.01(a) Background

The Department's ECAD procedures have been developed as a result of the continuous evaluation of IDOT's implementation of environment regulations. The ECAD procedures are intended to:

- maximize the use of the flexibility within the FHWA environmental regulations to identify actions eligible for CE processing; and
- ensure that the basis for the CE determination has been thoroughly evaluated and systematically documented to fully support the determination.

The ECAD procedures do not lessen the depth of environmental or engineering studies necessary to advance a project; all decisions must be supported by applicable studies and analyses. These procedures affect how the results of the studies and analyses are documented and, ultimately, the type of environmental processing which will be used to fulfill NEPA requirements.

23-2.01(b) Eligible Projects

The project types eligible for the ECAD procedures are those which have the potential to be processed as CE's but which may have been processed as EA's before the development of the ECAD procedures. Potential ECAD actions include project types *other than* the following:

1. Those project types specified in the FHWA environmental regulations (23 CFR 771.115(a)) as actions which normally require an Environmental Impact Statement (Class I).
2. Those project types specifically listed in 23 CFR 771.117 and Section 23-1 as Categorical Exclusions (Class II, 23 CFR 771.115(b)).
3. Those project types which the Illinois Division Office of FHWA has determined will normally require an Environmental Assessment (Class III, 23 CFR 771.115(c)). Examples include new interchanges, bypasses, and projects involving organized opposition or substantial controversy on environmental grounds.

The ECAD procedures lead to the decision on whether an eligible project should be processed as a CE or with an EA or EIS, and they provide a structure for evaluating and documenting the basis for that decision.

23-2.01(c) Documentation

Two form documents have been developed for use in implementing the ECAD procedures — the Class of Action Determination Record and the Class of Action Determination Document. A blank copy of each form is provided at the end of Section 23-2.01 for information only. The actual forms to be used for the ECAD process are electronic documents. The electronic forms are available on the IDOT Local Area Network (LAN) in the Design and Environment topic of the “IDOT’s In-house Forms” screen. BDE will revise the electronic forms from time to time as changes occur in the ECAD procedures and guidance. Districts should use the versions of the electronic forms that are consistent with the most recent procedures and guidance.

23-2.01(d) Procedures

To implement the ECAD procedures, follow these steps:

1. Determine Eligibility of Project Category. Early in project planning, the district should compare the proposed project type to the categories in 1, 2, and 3 in Section 23-2.01(b). If the proposed project is of a type *not* covered by these categories, it is potentially eligible for processing as an ECAD action.
2. Conduct Environmental Field Review. For potentially eligible ECAD actions, the district must conduct an on-site field review of the project area to identify environmental factors which the project may involve. This field review is mandatory before an action may proceed under the ECAD procedures. The field review must have been conducted no more than one year before concurrence is requested on the eligibility of the project as an ECAD action. The review must be sufficient to identify whether there are obvious resource involvements that could result in a significant impact or that will raise potential impact concerns sufficient to warrant preparation of an EA. To ensure that key environmental issues are considered, the Class of Action Determination Record (discussed in Step #4) should be used for documenting the results of the field review.
3. Present Recommendation on Type of Environmental Processing. After conducting the required environmental field review, the district may present its recommendation at a regularly scheduled project coordination meeting, on whether to proceed as a regular Group II Categorical Exclusion (i.e., if the project will involve few environmental issues), under the ECAD procedures, or with an EIS or EA for the project. The district should explain the basis for the recommendation. If the field review indicates the project involves a number of environmental issues but does not involve obvious or likely significant environmental impacts, the district may present the project for concurrence to proceed

under the ECAD procedures. The presentation of the project for concurrence should address the following items:

- when and by whom the environmental field review was conducted;
- what, if any, documentation resources were consulted in conjunction with the field review; and
- what, briefly, were the findings of potential involvement for each environmental issue listed in the Class of Action Determination Record and the basis for the determination.

The decision of FHWA and BDE on whether or not the project should proceed under the ECAD procedures should be documented in the minutes of the coordination meeting. After a project is presented and approved for processing under the ECAD procedures, it must be completed as an ECAD project unless significant impacts are identified which warrant preparation of an EA or EIS.

4. Prepare Class of Action Determination Record. Environmental resources in the project area should be identified on an environmental inventory map and referenced in the "Class of Action Determination Record." The ECAD Record should be used to summarize key findings and decisions on the presence or absence of adverse impacts on particular environmental resources and the nature of such impacts, if they occur. The ECAD Record also should briefly summarize the basis for the findings and conclusions. Districts do not need to include all the intermediate coordination steps that lead to the findings and conclusions; enter only the key results that provide closure on an issue (i.e., how it was determined an issue is or is not potentially involved and, if it is involved, what the effect will be). Key conclusions also include final results of any required coordination for compliance with other applicable laws, regulations, and agreements (e.g., the results of coordination for compliance with the State endangered species act and historic preservation requirements).

As preparation of the ECAD Record proceeds, typographical errors or other minor mistakes discovered in previous entries should be corrected. The incorrect information that was deleted should be shown in the Record with a strikethrough and the corrected information should be underlined. If information in previous entries changes as a result of ongoing project development activities, the changes should be reflected in new entries that will supplement, rather than replace, the previous entries.

Documentation in the Class of Action Determination Record should continue until all environmental resources/issues have been sufficiently evaluated to allow determination of the action's CE status or until an impact is identified that dictates preparation of an EA or EIS. *If impacts or concerns (e.g., controversy on environmental grounds) are identified which are determined to warrant preparation of an EA or EIS, that decision should be*

documented in the project files and the preparation of the Class of Action Determination Record should terminate.

The ECAD Record may be used to present environmental information for the project at public involvement activities provided the version of the Record to be used has been reviewed by FHWA and BDE and any comments from that review have been satisfied. Because the results of public involvement activities could affect the ultimate decision on classification of an ECAD project as a Categorical Exclusion (e.g., because of substantial controversy on environmental grounds), the final decision on the CE classification should not occur until after completion of planning-phase public involvement activities. In presenting an ECAD project at a public involvement activity, the district should indicate the anticipated environmental processing for the action (e.g., as a Categorical Exclusion) based on the results of environmental investigations for the project.

Instructions are provided in the following paragraphs to enter information in the Class of Action Determination Record:

- Date of Field Review: Enter the most recent date of field evaluation of environmental factors. This date must be within one year prior to the initial presentation at a district coordination meeting.
- Date of Initial Presentation: Enter the date on which the Record was first presented at a district coordination meeting.
- Date of Latest Revision: This date will change each time the Record is updated with new information.
- Potential Involvement: Enter in the "yes" or "no" columns the date on which the determination was made concerning potential involvement for each environmental resource/issue category listed. The columns should be left blank until sufficient information is obtained to make the determination of potential involvement. Each item in this column must be completed before the project is first presented at a district coordination meeting.
- Analyses and Results: This column is the most important part of the Class of Action Determination Record. It should be used to briefly explain, in plain language (i.e., avoid the use of jargon and technical terms as much as possible), entries in the "potential involvement" and "impacts present" columns. This column also should be used for entering dates and a concise summary of results that are pertinent to evaluating the

environmental impacts of the proposed action. These items include the following:

- results of environmental surveys and studies of specific issues;
- final coordination contacts with resource agencies that provide closure on environmental issues; and
- results of environmental impact/mitigation analyses, including discussion of secondary and cumulative impacts, as applicable.

The initials of the author should be entered after each entry (see Section 23-2.02(p)).

See Section 23-2.02 for more information on the nature of the environmental analyses and appropriate entries in this column for particular resources/issues.

Impacts Present:

Enter in the “yes” or “no” column the date on which it was determined whether the project will have an adverse impact for each of the environmental factors which had a “yes” in the “potential involvement” column. If the “potential involvement” column is marked with a “no,” the “Impacts Present” column for that issue should be left blank unless an involvement and impact are subsequently identified.

Status:

Enter a “C” (for “completed”) in this column when sufficient analyses and results have been accomplished to allow a determination of the impact. Otherwise, leave the column blank.

5. Present Results at District Coordination Meetings. As the district completes studies and analyses regarding the project's environmental impacts and achieves closure on environmental issues, these results should be discussed with FHWA and IDOT Central Office representatives at regularly scheduled district coordination meetings (see Section 22-5). At the district's discretion, it may discuss these results as each study is completed or may wait and consolidate the discussion of several studies.
6. Document Environmental Class of Action Determination. After all environmental resources/issues identified as being potentially involved are evaluated, the impacts are determined and closure is attained for the issues involved (including consideration of the results of public involvement activities), the district is ready to request concurrence from

FHWA and IDOT central office representatives that the action may be classified as a CE. When a public hearing is required, it should be held before requesting CE concurrence in order that the results of the hearing can be considered in determining the appropriateness of the CE classification. The Class of Action Determination Document should be used for recording the project purpose and need, the project alternatives, the environmental consequences of the action, environmental commitments, the public involvement activities for the project, and the signatures of the district, FHWA, and the IDOT central office representative. The district should complete and sign the ECAD document before requesting concurrence from FHWA and IDOT central office representatives. Districts should provide FHWA and IDOT central office representatives copies of the Class of Action Determination Document prior to the meeting at which the documents will be presented for signature. The copies should be provided as far in advance of the meeting as practical and not less than two weeks prior to the meeting date. The "Environmental Consequences" section of the document will indicate those issue areas in the ECAD Record that were marked as a "Yes" in the impacts present column. This section will direct the reader to the parts of the ECAD Record that describe the project's impacts and mitigation measures. Together with the ECAD Document "Conclusion" paragraph, the information on impacts and mitigation measures provides the basis for FHWA's determination that the action meets the Categorical Exclusion definition in 23 CFR 771.117(a).

The signed Class of Action Determination Document and the associated Class of Action Determination Record should be included with the Phase I Engineering Report for the action and referenced as appropriate to provide the environmental discussions for the project. The ECAD documents should be retained with the Phase I Engineering Report in the project file.

(The following Class of Action Determination Record form and Class of Action Determination Document form are provided for information only. The actual forms to be used for the ECAD process are electronic documents. See explanatory note in Section 23-2.01(c).)



Class of Action Determination Record

Route:

Section:

Location/Termini:

County:

Job Number:

Date of Field Review:

Date of Initial Presentation:

Date of Latest Revision:

Resource & Issues	Potential Involvement (MM,DD,YY)		Analysis and Results		Impacts Present (MM,DD,YY)		Status
	Yes	No	Date	Use Journal Type of Description	Yes	No	
I. Social/Economic							
1. Relocations - Business and Residential							
2. Changes in Travel Patterns							
3. Economic Impacts							
4. Change in Land Use & Economic Development							
5. Community Cohesion							
6. Public Facilities and Services							
7. Title VI and Other Protected Groups							
8. Environmental Justice							
9. Pedestrian & Bicycle Facilities							
II. Agricultural							
III. Cultural							
1. Archaeological Sites							
2. Historic Bridges							
3. Historic Districts and Buildings							
IV. Air Quality							
1. Attainment/Nonattainment Status							
2. Microscale Analysis							
V. Noise							

Resource & Issues	Potential Involvement (MM,DD,YY)		Analysis and Results		Impacts Present (MM,DD,YY)		Status
	Yes	No	Date	Use Journal Type of Description	Yes	No	
VI. Energy							
VII. Natural Resources							
VIII. Water Quality/Resources							
1. Surface Water Resources/Quality							
2. Permits							
3. Groundwater Resources/Quality							
IX. Flood Plains							
1. 100-year Flood Plain							
2. Regulatory Floodway							
X. Wetlands							
XI. Special Waste							
XII. Special Lands							
1. 4(f)							
2. 6(f)							
3. Open Space Lands Acquisition and Development (OSLAD) Act Lands							
XIII. Other Issues							

Resource & Issues	Potential Involvement (MM,DD,YY)		Analysis and Results		Impacts Present (MM,DD,YY)		Status
	Yes	No	Date	Use Journal Type of Description	Yes	No	
XIV. Permits Required (Check each that applies.)							
404 - Individual	<input type="checkbox"/>	See Resource and Issues # _____		for discussion.			
404 - Nationwide	<input type="checkbox"/>	See Resource and Issues # _____		for discussion.			
NPDES	<input type="checkbox"/>	See Resource and Issues # _____		for discussion.			
Coast Guard	<input type="checkbox"/>	See Resource and Issues # _____		for discussion.			
IDNR - Office of Water Resources	<input type="checkbox"/>	See Resource and Issues # _____		for discussion.			
	<input type="checkbox"/>	See Resource and Issues # _____		for discussion.			
	<input type="checkbox"/>	See Resource and Issues # _____		for discussion.			
	<input type="checkbox"/>	See Resource and Issues # _____		for discussion.			
XV. List of Preparers							
Initials	Name	Organization					

Class of Action Determination Document

Route: _____ Section: _____
Location/Termini: _____
City: _____ County: _____
Job Number: _____

Purpose and Need: Provide a concise but complete explanation of the problem(s) the proposed action is intended to address. (Refer to Section 22-6.01 for further guidance.)

Project Alternatives: Provide a brief, one-paragraph description for each reasonable alternative and indicate the amount of new right-of-way the alternative would require. Attach a project location map and other exhibits, as appropriate, to explain the nature of the proposed alternative and its setting. The preferred alternative should be indicated, when known. (See Section 22-3.09 for further guidance.) For projects that would significantly increase capacity for single occupancy vehicles (i.e., by adding lanes to an existing highway or constructing a new highway) in areas designated as non-attainment for carbon monoxide or ozone (e.g., the Chicago Metro area or the St. Louis Metro East area) the alternatives section must include information on Congestion Management System alternatives. (Lane additions for safety improvements or for elimination of bottlenecks are not considered to be projects that significantly increase capacity for single occupancy vehicles.) See Section 24-3.06 for recommended wording to address this requirement.

Environmental Consequences: Indicate the issue areas in the ECAD Record that were marked as a “yes” in the “Impacts Present” column. It is understood that this list will serve to reference the impact/mitigation discussions in the ECAD Record and will eliminate the need for repeating or summarizing these discussion in the ECAD Document. For issues that may require documentation of specific findings (e.g., floodplains, wetlands) or specific documentation of conclusions (e.g., cultural resources, special waste), include the findings and conclusions statements in this Section with the reference to the appropriate issue area.

Environmental Commitments: List each environmental commitment made as a result of the development of this project. An environmental commitment is a documented promise or obligation concerning an environmental issue made by a representative of IDOT to an entity outside the department. Include a brief description of the commitment, an indication of who made the commitment and the entity to whom the commitment was made.

Public Involvement: Provide summary information for each public involvement activity conducted for the project, including the date, location, type of meeting/hearing (e.g., open house, formal hearing), and environmental issues raised. Reference the appropriate section(s) of the ECAD Record for information on the disposition of the environmental issues raised.

Conclusion: The attached Class of Action Determination Record(s) documents the analyses and results accomplished to determine the appropriate type of environmental processing for this project. (A separate Class of Action Determination Record shall be prepared for each alternative under consideration.)

Based on the analyses of environmental consequences as documented in the attached Class of Action Determination Record(s), this project has been determined to meet the Categorical Exclusion definition contained in 23 CFR 771.117(a). The project will not induce significant impacts to planned growth or land use for the area; will not require the relocation of significant numbers of people; will not have a significant impact on any natural, cultural, recreational, historic, or other resource; will not involve significant air, noise, or water quality impacts; will not have significant impacts on travel patterns; and will not otherwise, either individually or cumulatively, have any significant environmental impacts.

IDOT District

Date

IDOT Bureau of Design and Environment
Environment Section Representative

Date

FHWA Design Engineer

Date

23-2.02 Guidance for Resource Impact Analysis and Documentation

References: Chapter 26 *Special Environmental Analyses*
Chapter 27 *Environmental Surveys*

23-2.02(a) Applicability

The information in this section is applicable to State highway projects for which environmental documentation will be developed under the Environmental Class of Action Determination (ECAD) Procedures in Section 23-2.01. The guidance is provided to assist in the preparation of the "Analyses and Results" portion of the Class of Action Determination Record(s) for ECAD projects. The guidance indicates the minimum information necessary to address environmental issues that may be involved for these projects. For each issue determined to be potentially involved during the initial environmental screening of the project, the corresponding section of the accompanying guidance should be consulted to determine the pertinent items of information to be provided. Issues determined not to be potentially involved during the initial environmental screening of the project need no further discussion unless new information becomes available that alters the initial determination.

23-2.02(b) Social/Economic

The following applies to the Social/Economic portion of the Environmental Class of Action Determination (ECAD) Record:

1. Relocations — Business and Residential. Estimate the number and types of buildings to be removed, including residential, commercial, and agricultural. Indicate whether adequate replacement property is available and, if so, its general location. If relocations are involved, document the relocation impacts as explained in Section 24-3.07(b). See Section 3 of the *Socio-Economic Impact Assessment Manual* for further guidance.
2. Change in Travel Patterns. If the project will cause travelers to use a different route(s), briefly describe the nature of changes in traffic patterns.
3. Economic Impacts. Briefly discuss the businesses in the area. Discuss the potential for impacts to business (including revenue, access changes, or parking loss), tax base, or major employers within the project area. If businesses are displaced, estimate the number of employees. See Section 4 of the *Socio-Economic Impact Assessment Manual* for impact assessment guidelines.
4. Change in Land Use and Economic Development. If the proposed project will cause a conflict with existing local or regional land use plans, provide a concise description of the conflict and how it will impact the area. If the project will provide new access to an area, provide a brief description of the anticipated effects. If the potential exists for economic

development due to the project, provide a concise description. See Section 5 of the *Socio-Economic Impact Assessment Manual*.

5. Community Cohesion. Briefly describe the community(ies) and neighborhood(s); include name and population. Describe the potential for dividing or isolating neighborhoods or communities. See Sections 2.1 and 2.2 of the *Socio-Economic Impact Assessment Manual* for definitions and impact assessment guidelines.
6. Public Facilities & Services. How will the proposed project affect community access, including pedestrian access to facilities (such as places of worship, schools, libraries, hospitals) or services (such as fire, police, or ambulance)? Identify by name and location. See Section 2.4 of the *Socio-Economic Impact Assessment Manual*. Discuss use of 4(f) properties under Section 23-2.02(m).
7. Title VI and Other Protected Groups. Consider the potential for impacts to ethnic, racial, or religious minorities or elderly/handicapped groups. Title VI requirements apply to individuals as well as groups. See Section 2.3 of the *Socio-Economic Impact Assessment Manual* for definitions. Include a statement to address compliance with the Americans with Disabilities Act (ADA). For example:

The project will follow "Americans with Disabilities Act Accessibility Guidelines for Buildings and Facilities," 36 CFR Part 1191 to ensure the project meets the goals of the Americans with Disabilities Act (ADA).

8. Environmental Justice. Executive Order 12898 "Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations" requires a heightened sensitivity for the needs and concerns of minority and/or low-income* groups during project planning. If a Federally funded project will affect either or both of these groups, the district must determine whether there may be "disproportionately high and adverse effects"*** on these groups. The requirements of the Executive Order can be met with the identification of low-income and/or minority groups (approximate number and location) within a community who may be affected by a proposed project and the assessment of any disproportionately high impacts. Projects located within minority and/or low-income communities may require intensified public involvement activities to ensure local participation. The consideration of a full range of mitigation measures to reduce the adverse impacts is very important in these cases.

**Determine "low-income status" by referring to the Department of Health and Human Services poverty guidelines. These guidelines are published every year in the Federal Register.*

***"Disproportionately high and adverse impacts" are those which make some individuals or groups better off at the expense of minorities or low-income residents or communities. It has also been defined as an inequity resulting from a proposed action on a group protected under the Civil Rights Act of 1964. The*

impacts should be weighed on a case-by-case basis because some projects will affect only minorities or low-income groups. If disproportionately high impacts are expected, it is necessary to demonstrate that the project will fulfill a substantial need and that measures to avoid or reduce the adverse impact are not practicable or would have other high adverse social, economic, or environmental impacts that are more severe or include costs of extraordinary magnitude. Offsetting mitigation and enhancement measures (including those developed during the public participation process) or any offsetting benefits that will accrue to the minority or low-income populations will be considered in any case of disproportionately high and adverse impacts.

9. Pedestrian and Bicycle Facilities. Discuss the current and anticipated bicycle and pedestrian usage, consistency with local plans and facilities that exist in the area, and proposed measures to accommodate anticipated usage and local plans to avoid or reduce adverse impacts to the facility(ies) and its users. If the project will cause disruption or permanent changes in pedestrian or bicycle access, provide a brief description of the effects. Refer to Chapter 17.

23-2.02(c) Agricultural

Reference: Section 26-10 *Evaluations of Farmland Conversion Impacts*

In all cases, identify the total amount of farmland and estimate the approximate amount of prime and important farmland to be converted to non-agricultural use. Also identify any effects on protected agricultural areas. Include conversion of agricultural land for State-furnished borrow or contractor-use areas and other proposed resource mitigation efforts (e.g., wetland mitigation). Summarize any special measures to be used to reduce impacts to farmland or farm operations. For further information, see Section 26-10.

Determine if agency coordination is required with the USDA Natural Resources Conservation Service (NRCS) and/or the Illinois Department of Agriculture (IDOA). If agency coordination is not required, briefly explain why. See Section 26-10. If agency coordination is required, or otherwise occurs, indicate the agency and summarize the results. Reference in, or include with, the ECAD Record, copies of correspondence (e.g., the AD 1006 form) that provides closure for the agency coordination.

Note: The taking of a farm residence or the known tax loss from right-of-way purchased should be discussed under the Social/Economic discussion.

23-2.02(d) Cultural

References: Section 26-2 *Section 4(f) Evaluations*
Section 26-5 *Historic Act Compliance Documentation*
Section 27-1 *Integrated Survey Process*

The following applies to the Cultural portion of the ECAD Record:

1. Archaeological Sites. Is the submittal of an Environmental Survey Request required? See Section 27-1. If yes, record the date that the survey request was submitted and explain why. If not, explain why.

Was the project signed-off by the Cultural Resources Unit? If it was, record the date and use the language from the Cultural Resources Unit memorandum to explain why.

Based on the cultural resources survey results, were any potentially significant resources found to be in the project area? If no, enter the date of the State Historic Preservation Officer's (SHPO) sign-off and note that this completes the coordination process. If yes, note the type and number of resources, the nature of further field work required, and the date notified.

Were the sites avoided or cleared during the Phase II field evaluation? If yes, enter the date of the SHPO sign-off and note that this completes the compliance process. If no, Phase III excavation (data recovery) is required. The date of Advisory Council on Historic Preservation (ACHP) concurrence in a Statement of No Adverse Effect or a Memorandum of Agreement should be entered in the ECAD Record. The concurrence of the ACHP also should be noted in the Environmental Consequences portion of the ECAD document. Commitments to conduct archaeological fieldwork after right-of-way purchase should be noted in the ECAD Record and ECAD document.

2. Historic Bridges. Will the project affect a bridge listed in the Illinois Historic Bridge Survey? If not, coordination for compliance with Section 106 on historic bridges normally* is not required. The "Historic Bridges" field of the ECAD Record should be marked accordingly. If the project will affect a bridge on the Illinois Historic Bridge Survey (e.g., by rehabilitating, closing, moving, or removing the bridge), documentation of compliance with Section 106 will be required. For a finding of "no adverse effect," enter the date on which the Advisory Council on Historic Preservation approved the Statement of No Adverse Effect. For an "adverse effect" finding, enter the date of final signature of a Memorandum of Agreement and provide a brief summary of the mitigation required. If the project will adversely affect the historic integrity of a bridge on or eligible for the National Register of Historic Places (i.e., the factors that qualified it for eligibility), compliance with Section 4(f) also is required.

** Note: The Illinois Historic Bridge Memorandum of Agreement (MOA) addresses the operation and use of the Illinois Historic Bridge Survey as a tool for determining whether bridges in Illinois are subject to compliance with Section 106 requirements. This MOA is an ad hoc agreement between the IDOT, the FHWA, and the Illinois State Historic Preservation Officer. The Advisory Council on Historic Preservation is not a signatory to the agreement. Accordingly, the MOA and the Illinois Historic Bridge Survey do not govern the final determination of the applicability of Section 106. If any interested party raises a question concerning the National Register eligibility of a non-listed bridge, information concerning the non-listed bridge must be submitted to the BDE*

for an eligibility determination. If the bridge is determined eligible for the National Register, work affecting the bridge is subject to compliance with Section 106 requirements. Absent a question on the National Register eligibility of a non-listed bridge, the bridge is presumed not to be eligible and is not subject to Section 106 requirements.

3. Historic Districts & Buildings. If the project is located within a historic district listed in the National Register of Historic Places or designated by local ordinance, coordination with the Illinois Historic Preservation Agency (IHPA) will be required. Coordination also will be necessary for any buildings over 50 years old directly or indirectly impacted by the project.

The district is required to take photographs (color or black-and-white) of buildings over 50 years old and buildings of uncertain age located in or adjacent to the proposed project. The photos should be submitted to the Cultural Resources Unit and the date of submittal recorded in the Record. If the Cultural Resources Unit or the IHPA determines that no significant buildings will be impacted, the date of the sign-off should be noted.

If a building eligible for the National Register is located in the project impact area, the Section 106 process starting with SHPO coordination must be initiated through the Cultural Resources Unit. The date of final approval of a Statement of No Adverse Effect or, for an adverse effect, of a Memorandum of Agreement and a brief summary of the mitigation should be entered. If the project involves use of land from a historic district or a building on or eligible for the National Register, a Section 4(f) Evaluation document may be required (see Section 23-2.02(m)).

23-2.02(e) Air Quality

Reference: Section 26-11 *Air Quality Conformity Documentation*
Illinois COSIM User's Manual

The following applies to the Air Quality portion of the ECAD Record:

1. Attainment/Nonattainment Status. Determine whether the highway project is located wholly or partly in a portion of the State classified by the US Environmental Protection Agency as a nonattainment area for a transportation-related criteria pollutant. Follow the procedures in Section 26-11 and document the determination in the ECAD Record.
2. Microscale Analysis. Projects that will have an average daily traffic (ADT) volume of less than 16,000 by the end of the first year of operation are exempt from the requirement for a microscale Carbon Monoxide (CO) analysis. For these projects, enter the following paragraph in the ECAD Record:

This project is exempted from a project-level carbon monoxide air quality analysis because it is a low-volume roadway with a forecasted average daily traffic volume of 16,000 or less vehicles at the end of the first year of project operation.

For projects that will have an ADT volume greater than 16,000 by the end of the first year of operation, an analysis for CO is required. A screening analysis should be used on applicable projects to determine if the action has potential to result in CO contributions that could cause a violation of the National Ambient Air Quality Standards (NAAQS). The *Illinois Carbon Monoxide Screen for Intersection Modeling* (COSIM) shall be used for the screening analysis on projects that fit the assumptions upon which the screening model was based. It will provide a “worst case” estimate of CO concentrations and will indicate whether further detailed air quality analysis is needed. If the screening analysis indicates that the action “passes” (i.e., that it does not have potential for causing a violation of the NAAQS for CO), further air quality analysis is not required. Complete and include the following paragraph in the ECAD Record:

The air quality effects of the proposed project were analyzed using the Illinois Carbon Monoxide Screen for Intersection Modeling (COSIM). The “worst case” analysis provided by the COSIM model indicated that the proposed undertaking does not have the potential for contributing to a violation of the National Ambient Air Quality Standard for CO. CO concentrations for the worst case receptor were as follows:

Existing ([year]) - ____ ppm; Build - Time of Completion (TOC) ([year]) - ____ ppm, TOC + 10 years ([year]) - ____ ppm, and Design Year ([year]) - ____ ppm; No Action - ____ ppm in [TOC year], ____ ppm in [TOC +10 year], and ____ ppm in [Design Year].

If the screening analysis indicates the project “fails” (i.e., that it has potential for contributing to a violation of the NAAQS for CO), or if the project does not fit the assumptions for use of the screening analysis, a detailed project-level CO analysis should be performed. Districts should use the latest USEPA Mobile model for emission factors and should contact BDE for guidance on the latest inputs and modeling information. The findings of the detailed analysis should be documented by completing and including the following paragraph in the ECAD Record:

A Carbon Monoxide (CO) analysis was completed for the worst case receptor (i.e., residence) located [_____] (see Exhibit [____]). Calculated CO concentrations were as follows:

Existing ([year]) - ____ ppm; Build - Time of Completion (TOC) ([year]) - ____ ppm, TOC + 10 years ([year]) - ____ ppm, and Design Year ([year]) - ____ ppm; No Action - ____ ppm in [TOC year], ____ ppm in [TOC +10 year], and ____ ppm in [Design Year].

If the results are below the 8-hour CO NAAQS, include the following statement:

The results from this roadway improvement indicate the concentrations are below the 8-hour National Ambient Air Quality Standard of 9.0 ppm which is necessary to protect the public health and welfare.

If the results of the detailed analysis exceed the 8-hour CO NAAQS, mitigation measures must be discussed with FHWA, USEPA, and IEPA. Any such mitigation measures should be summarized in the ECAD Record.

23-2.02(f) Noise

References: Section 24-3.07(f) *Noise Discussion in EA's*
Section 26-6 *Noise Analyses*

Is the highway project required to have a traffic-generated noise analysis? See Section 26-6.

In the case of a potential involvement, perform a project-level analysis of adjacent traffic-generated noise levels. Summarize in the ECAD Record the locations of predicted traffic noise impacts, the context of the noise impacts (i.e., affected land use), and the preliminary likelihood of noise abatement measures being incorporated in the project or the reasons for which no apparent noise impact solution is available.

For most projects processed under ECAD procedures, analysis of ten or fewer sensitive receptors will generally be adequate for determining the locations of predicted traffic noise impacts. In many instances, two to three receptors will be sufficient. A table to present the results of the existing and future build and no-action traffic-generated noise levels is encouraged to clarify the context of the noise impacts and to easily identify predicted changes.

23-2.02(g) Energy

Use the following entry when addressing energy:

Construction of the proposed improvement will require indirect consumption of energy for processing materials, construction activities, and maintenance for the lane miles (kilometers) to be added within the project limits. Energy consumption by vehicles in the area may increase during construction due to possible traffic delays.

Construction of the proposed improvement will reduce traffic congestion and turning conflicts along the route and thereby reduce vehicular stopping and slowing conditions. Additional benefits would be realized from increased capacity and smoother riding surfaces. This will result in less direct and indirect vehicular operational energy consumption for the build alternative than for the no-action alternative. Thus, in the long term, post-construction operational energy

requirements should offset construction and maintenance energy requirements and result in a net savings in energy usage.

The following should be added when applicable:

The project includes provisions for improved bicycling and walking conditions, thereby encouraging travel by these non-motorized and thus non-energy consuming modes of transportation.

23-2.02(h) Natural Resources

References: Section 26-9 *Threatened and Endangered Species/Natural Area Impact Assessments*
Section 27-1 *Integrated Survey Process*

These include threatened and endangered species, upland vegetation/habitat, and nature preserve/forest preserve/natural area. Note any natural resource areas identified during a field survey performed by district/consultant staff. Record the date of the district/consultant staff field survey and briefly discuss the findings.

If an Environmental Survey Request (ESR) is not required, record the date it was determined not to be necessary and explain why.

If the district submits an ESR, indicate in the ECAD Record whether the project required coordination with IDNR for screening against the information in the Illinois Natural Heritage Data Base or for specific resource involvements, in accordance with the IDNR/IDOT coordination agreement. If the project is not coordinated with IDNR, briefly state the reason(s). If the project is coordinated with IDNR, indicate the date on which coordination/consultation was concluded and summarize the results.

If the District submits an ESR and BDE determines the project does not require further processing for field surveys, enter in the ECAD Record the sign-off date and a brief statement of the action by BDE.

If surveys are performed, summarize the results. Identify the location of resources on a map or aerial (e.g., an environmental inventory map) showing their proximity to the project and describe the size (acres [hectares]), quality, and type of upland forests, riparian forests, prairie remnants, areas of relatively high biological diversity, natural areas, nature preserves, Federal and State-listed species, and Class I streams (see Section 23-2.02(i) "Water Quality/Resources"). The impact to the resources and the sensitivity of the resources to the impacts should be described. For impacts to threatened and endangered species or natural areas, the discussion must indicate why the impacted resource cannot be avoided, the measures that have been taken to minimize the adverse impact through project modification, and the appropriate and practical compensatory mitigation for the unavoidable resource losses (i.e., construction time

limits/fencing, transplanting, relocation, restoration, erosion control measures, etc.). Use information from the Biological Resources memorandum and reports from the Illinois Natural History Survey or other documentation. Enter the date and a brief statement of results for final coordination actions (i.e., that achieved closure) with the US Fish and Wildlife Service (USFWS), National Park Service, IDNR, Illinois Nature Preserves Commission, etc., as appropriate, on survey results, impacts, and mitigation. If no resources were involved, record the date and use the language from the Biological Resources memorandum to explain why.

If a Biological Assessment and/or Detailed Action Report for threatened and endangered species is required, summarize the information regarding the species/natural area involved, the impact, and the mitigation. Cite compliance form or letter for the Illinois Endangered Species Act and Illinois Natural Areas Preservation Act requirements and the Federal USFWS Opinion, as appropriate. If the project will require an authorization for incidental taking of a listed species, include a statement to that effect in the natural resources discussion and indicate that the authorization will be obtained prior to award of the contract for the work that would cause the incidental taking. Also provide information describing the nature of the incidental taking, the species involved (including an indication of whether the species is Federally-listed, State-listed, or both), and the measures for minimizing and mitigating the effects of the taking on the listed species. If a Biological Assessment and/or Detailed Action Report is not required, cite results of coordination with USFWS for Federally listed species and the IDNR Agency Action Report form/coordination letter for State-listed species or natural areas.

23-2.02(i) Water Quality/Resources

Reference: Chapter 28 *Environmental Permits/Certifications*

The following applies to the Water Quality/Resources portion of the ECAD Record:

1. Surface Water Resources/Quality. Identify, by name, the water resource(s) (including streams, ponds, lakes, etc.) in the project area. Indicate flow regime (permanent or intermittent) and upstream watershed area (in acres [hectares]). Indicate whether water quality data is available for the water resource (in the biennial "Illinois Water Quality Report") and whether the resource is subject to a use classification (i.e., "Degree of Overall Use Support" as described in the "Illinois Water Quality Report"). If the water resource is subject to a use classification, briefly discuss the relationship between the classification and the project's anticipated effects on water quality.

Indicate if any of the water resources is a wild and scenic river, candidate for wild and scenic river status, Illinois natural area, Illinois nature preserve, or threatened/endangered species habitat. BDE will identify these categories as Class I streams in the Biological Resources Review Memorandum for the project.

Indicate whether any of the water resources is a public water supply or high-quality/Class I stream. The Illinois Water Quality Report identifies public water supplies.

The BDE will identify high-quality/Class I streams in the Biological Resources Review memorandum for the project.

Describe the proposed work in, over, or adjacent to the water resource(s). Discuss probable direct impacts to water quality of the resource(s), both during and after construction. Include the probable effects on plants, animals, and fish inhabiting or dependent upon the stream. Describe the proposed measures to minimize adverse effects or to enhance beneficial effects, including any special erosion control measures that may be appropriate in addition to normal erosion control practices.

If the projected traffic volumes for the build alternative exceed 30,000 ADT (Average Daily Traffic) and a Class I stream or other high quality stream is involved, consult with BDE on the need for, and scope of, a water quality impact assessment. If a water quality impact assessment is performed summarize the results in the ECAD Record.

2. Permits. Indicate whether any work for the project will require an individual Section 404 permit or Section 10 bridge permit. If work will be covered under a Nationwide Section 404 permit(s), indicate which permit(s) will apply. Also indicate whether IEPA has issued blanket Section 401 water quality certification for the Nationwide permit(s) to be used.

If an NPDES construction permit is required (i.e., if the project will result in the disturbance of five acres [two hectares] or more of surface area*), incorporate the following paragraph into the ECAD Document:

It is anticipated this project will result in the disturbance of five or more acres (two or more hectares) of total land area. Accordingly, it is subject to the requirement for a National Pollutant Discharge Elimination System (NPDES) permit for stormwater discharges from the construction sites. Permit coverage for the project will be obtained either under the IEPA General Permit for Stormwater Discharges from Construction Site Activities (NPDES Permit No. ILR10) or under an individual NPDES permit. Requirements applicable to such a permit will be followed, including the preparation of a Stormwater Pollution Prevention Plan. Such a plan shall identify potential sources of pollution which may reasonably be expected to affect the quality of stormwater discharges from the construction site and shall describe and ensure the implementation of practices which will be used to reduce the pollutants in discharges associated with construction site activity and to assure compliance with the terms of the permit.

*Note: Effective March 10, 2003, projects that will result in a disturbance of less than five acres (two hectares) and more than one acre (4047 m²) of land surface will be subject to the NPDES permit requirements for stormwater discharges from construction sites. For projects that will exceed the one acre (4047 m²) disturbance threshold and that will be under construction on or after March 10, 2003, the NPDES permit paragraph

should be included with a revised first sentence indicating that the project will result in the disturbance of more than one acre (4047 m²).

3. Groundwater Resources/Quality. If the project does not create any new potential “routes” for groundwater pollution (e.g., dry wells, borrow pits) or any new potential “sources” of groundwater pollution (e.g., bulk road oil or de-icing salt storage facilities), include the following statements:

This project will not create any new potential “routes” for groundwater pollution or any new potential “sources” of groundwater pollution as defined in the Illinois Environmental Protection Act (415 ILCS 5/3, et seq.). Accordingly, the project is not subject to compliance with the minimum setback requirements for community water supply wells or other potable water supply wells, as set forth in 415 ILCS 5/14, et seq.

If the project creates any new potential “route” or “source” for groundwater pollution, describe the nature of the “route” or “source” and indicate whether it will be within a setback zone (minimum or maximum) for a water supply well. Also, indicate the type of well (e.g., community water supply, private water supply) and discuss any permits or mitigation measures that may be needed for the “route” or “source.” The minimum setback distance for a potable water supply well is 200 ft (60 m) or 400 ft (130 m) for a community water supply well with high to moderate geologic susceptibility. Maximum setback zones for community water supply wells may be up to 1000 ft (300 m) from the wellhead or, in rare cases, up to 2500 ft (760 m). Indicate whether the project is within a regulated recharge area.

In addition, include a statement on whether the project may cause any violation of groundwater quality standards. Consider whether the project would create any new potential “routes” or “sources” for groundwater pollution. Consider the projected traffic and the filtering effects of any retention or detention facilities or grassed drainage ways that would be provided, and the filtering effects of the underlying geology. Where a project will not cause a violation of surface water quality standards, modeling results have indicated it is generally unlikely that the project will cause a violation of groundwater standards, due to the filtering effects of grassed drainage ways, retention/detention facilities, and/or the underlying geology. Studies have shown that grassed drainage ways can remove up to 83% of the suspended solids, which account for most of the pollutants in highway runoff. Retention/detention facilities have been shown to be capable of removing up to 90% of the suspended solids.

23-2.02(j) Flood Plains

References: Section 26-7 *Flood Plain Finding*
Chapter 28 *Environmental Permits/Certifications*

1. 100-year Flood Plain. If work will occur within a 100-year flood plain, indicate the length of the encroachment and whether it is a transverse or longitudinal encroachment. Include with the ECAD Record, a copy of the appropriate part of the Federal Emergency Management Agency (FEMA) map(s) that includes the project location and indicate the date of the map(s). Assessment and documentation of flood plain encroachments should be performed in accordance with Section 26-7.05(d). If the preferred alternative includes a significant flood plain encroachment, provide in the Environmental Consequences section of the ECAD Document the finding required by Executive Order 11988 and 23 CFR 650, Subpart A, that there are no practicable alternatives to construction in flood plains.
2. Regulatory Floodway. For each alternative encroaching on a designated or proposed regulatory floodway, provide a preliminary indication of whether the encroachment would be consistent with the regulatory floodway. If the preferred alternative encroaches on a regulatory floodway and mitigation is required, briefly describe the mitigation. (Note: An IDNR/Office of Water Resources (OWR) permit is necessary for encroachments on a designated or proposed regulatory floodway.)

23-2.02(k) Wetlands

References: Section 26-8 *Wetlands Analyses and Findings*
Chapter 28 *Environmental Permits/Certifications*

Wetlands in the project area will be identified as a part of the Integrated Environmental Survey Process coordinated through the BDE. The BDE will provide the wetlands information to the district via the memorandum describing the survey results. In the ECAD Record, identify the location, type, size (in acres [hectares]) and Floristic Quality Index (FQI) of wetlands impacted (directly and indirectly) by the proposed action. Briefly describe the nature and magnitude of the impacts to each wetland, including area and, if known, functional values of wetlands lost. Consider use of a table to present the information if numerous wetlands and impacts are involved.

The Wetland Impact Evaluation (WIE) for the anticipated wetlands impacts will provide a detailed discussion of why the impacted wetlands cannot be avoided, the measures that have been taken to minimize the adverse impact through project modification, and the appropriate and practicable compensatory mitigation to replace the unavoidable wetland losses. In the ECAD Record, reference the WIE, provide a general statement on why the adverse wetland impacts cannot be avoided, and include summary information on the type (i.e., wetland/plant community type) and amount of compensation to be provided for each unavoidable adverse wetland impact.

Indicate in the ECAD Record whether the wetland involvement was subject to “programmatic” or “standard” processing and summarize the results of coordination with BDE and, as appropriate,

with the regulatory and natural resource agencies that achieved closure on wetlands issues. If the project involves unresolved wetland issues, provide a brief description.

If the preferred alternative is located in wetlands, include in the Environmental Consequences section of the ECAD Document the finding required by Executive Order 11990 that there are no practicable alternatives to construction in wetlands (see Paragraph V.G.12 of FHWA Technical Advisory T6640.8A "Wetland Impacts").

23-2.02(I) Special Waste

Reference: Section 27-2 *Special Waste Procedures*

Note: These procedures use the collective term "special waste," from the Illinois Environmental Protection Act (415 ILCS 5/3.45), which includes hazardous waste, potentially infectious medical waste, and industrial process waste or pollution control waste, subject to certain exceptions (see Section 27-2). Contaminated soils that meet the exemption from classification as a "special waste" are still considered to be a "regulated substance" and will be regulated as a solid waste. Involvement with such contamination will be addressed as a part of the BDE Special Waste Procedures and should be discussed, as appropriate, in the ECAD documentation.

The following paragraphs provide suggested statements for documenting the various outcomes of the Special Waste Procedures (see Section 27-2) in the ECAD Record/ECAD Document, as appropriate:

1. If application of the Special Waste Assessment (SWA) screening criteria resulted in a finding that the project has no potential for involving sites potentially impacted with regulated substances, include a copy of the SWA screen/survey request form signed and dated by the individual at the district who completed the form and enter the following statement in the ECAD Record:

Based on application of the Special Waste Assessment Screening Criteria, it has been determined this project will not involve nor impact any CERCLIS sites, or other sites potentially impacted with regulated substances. The most recent screening of the project area was completed in [month, year].

2. If the Preliminary Environmental Site Assessment (PESA) resulted in a finding that the project is "no risk" or "low risk" for involvement with sites potentially impacted with regulated substances, indicate the PESA number(s) and reference the PESA information on file documenting the "no risk" or "low risk" determination. Also enter the following statements in the ECAD Record:

The USEPA listing of potential, suspected, and known hazardous waste or hazardous substance sites in Illinois (i.e., the Comprehensive

Environmental Response, Compensation, and Liability Information System [CERCLIS] list) has been reviewed. The proposed undertaking will not require any right-of-way nor any easement from a site included in the CERCLIS listing as of [date of most recent CERCLIS listing provided to district office].

A Preliminary Environmental Site Assessment for sites potentially contaminated with regulated substances was completed in [month, year]. In addition to confirming that the project will not involve any CERCLIS sites, the assessment concluded that the project is not expected to involve other sites impacted by regulated substances.

3. If the PESA resulted in a finding that the project is “moderate risk” or “high risk” for involvement with sites impacted with regulated substances and the district has determined it can avoid the sites, indicate the PESA number(s) from the memorandum from BDE transmitting the PESA report (after the PESA Response form is on file with BDE). Also include the following statements in the ECAD Record:

The USEPA listing of potential, suspected, and known hazardous waste or hazardous substance sites in Illinois (i.e., the Comprehensive Environmental Response, Compensation, and Liability Information System [CERCLIS] list) has been reviewed. The proposed undertaking will not require any right-of-way nor any easement from a site included in the CERCLIS listing as of [date of most recent CERCLIS listing provided to district office].

A Preliminary Environmental Site Assessment for sites potentially impacted with regulated substances was completed in [month, year]. In addition to confirming that the project will not involve any CERCLIS site, the assessment concluded that other sites potentially impacted with regulated substances are located in the project area. However, the project build alternative will avoid all areas of known or potential contamination.

4. If the PESA resulted in a finding that the project is “moderate risk” or “high risk” for involvement with sites potentially impacted with regulated substances and the district cannot avoid the site(s), indicate the PESA number(s) from the memorandum from BDE transmitting the PESA report (after the PESA Response form is on file with BDE). Also indicate the nature of the last response from BDE regarding the sites potentially impacted with regulated substances (e.g., determination that the project qualifies as a Risk Managed Project, or issuance of a waiver on waiting for results of further investigations) and include a copy of the response from BDE. In addition, include the following statements, as appropriate, in the ECAD Record:

The USEPA listing of potential, suspected, and known hazardous waste or hazardous substance sites in Illinois (i.e., the Comprehensive

Environmental Response, Compensation, and Liability Information System [CERCLIS] list) has been reviewed. The proposed undertaking [will/will not] require right-of-way from a site included in the CERCLIS listing as of [date of most recent CERCLIS listing provided to district office].

A Preliminary Environmental Site Assessment for sites potentially impacted with regulated substances was completed in [month, year]. The assessment concluded that the build alternative will involve sites potentially impacted with regulated substances [in addition to the involvement with CERCLIS sites indicated above]. Further investigations (Preliminary Site Investigation) or assessments (for Risk Managed Projects) have been conducted to determine the nature and extent of the involvement.

Include the following statements, as appropriate, in the ECAD Document:

[As appropriate] A CERCLIS site(s) will be involved with the project but there is no prudent or feasible alternative for avoidance. The nature and extent of the involvement are known, all areas of contamination will be addressed to protect human health and the environment in accordance with applicable Federal and State laws and regulations, and all risks and liabilities are acceptable to the Department.

A Preliminary Environmental Site Assessment for special waste sites was conducted by the [Illinois State Geological Survey/district, as appropriate]. The assessment, completed in [month, year] concluded that the build alternative could involve sites potentially impacted with regulated substances. Further, it has been determined that not all of the sites can be avoided. The sites which cannot be avoided include [describe and reference to locations on an exhibit]. [Some/all] of the sites involve petroleum contamination from leaking underground storage tanks. [If applicable] Sites which involve types of contamination other than petroleum include [describe sites, locations, and type of contamination]. The nature and extent of the involvement are known and the areas of contamination, involving approximately [indicate the estimated quantities involved], will be managed and disposed of in accordance with applicable Federal and State laws and regulations and in a manner that will protect human health and the environment. The quantities to be disposed are not expected to have a significant effect on landfill capacity.

For sites on the National Priorities List (indicated in the CERCLIS list), which is the nationwide list of sites containing hazardous substances that have ranked high enough to be eligible for USEPA to expend funds for cleanup, the public must be afforded an opportunity to comment on the analysis of alternatives for addressing the site(s). When projects involve sites on the NPL or

CERCLIS sites and the involvement generates substantial controversy regarding the alternatives for addressing the sites, such projects will not be eligible for ECAD processing.

23-2.02(m) Special Lands

References: Section 4(f) Background/Q&A *Applicability*
Section 26-2 *Section 4(f) Evaluations*
Section 26-3 *Section 6(f) Conversion Request*
Section 26-4 *OSLAD Land Conversion Request*

The following applies to the Special Lands portion of the ECAD Record:

1. 4(f). Will the project involve use, including constructive use, of land from a significant publicly owned park, recreation area, or wildlife and waterfowl refuge, or any land from a historic site of national, State or local significance?

If a 4(f) evaluation is required, indicate whether it will be a programmatic or separate 4(f) evaluation document. Summarize the results of the 4(f) process, extent of involvement, and measures to minimize harm. Section 4(f) approval is required before the ECAD Document can be signed.

If temporary use of 4(f) land is involved and meets the conditions for exclusion from 4(f) applicability (see Appendix A, Section 4(f) Background/Q&A), identify the use, document the response to each of the conditions, and enter the date of FHWA concurrence that a 4(f) use does not apply.

If the 4(f) use is related to providing an improvement sponsored by the owner or maintainer of the 4(f) resource (e.g., a Transportation Enhancement project), then 4(f) does not apply. FHWA concurrence must be obtained in this determination for such involvements. Enter the date of FHWA concurrence in the ECAD Record.

2. 6(f). Will the project involve use of lands that have Land and Water Conservation (LAWCON) funds involved in their purchase or development? If yes, briefly describe the involvement and indicate the date the conversions request for a change in use under Section 6(f) was submitted to the IDNR. Briefly describe the proposed replacement land and provide the date of the National Park Service approval of the Section 6(f) land conversion request. *Note that the National Park Service will consider conversion requests under Section 6(f) only after the proposed project has received Section 4(f) approval.*
3. Open Space Lands Acquisition and Development (OSLAD) Act Lands. Will the project involve use of lands that have OSLAD funds involved in their purchase or development? If yes, briefly describe the involvement and the replacement land and provide the date of IDNR approval of the OSLAD land conversion request.

23-2.02(n) Other Issues

Examples include:

- equestrian facilities, and
- aesthetics (visual impacts) (see Chapter 59)

23-2.02(o) Permits Required

Reference: Chapter 28 *Environmental Permits/Certifications*

This section of the ECAD Record should reference the section(s) and subsection(s) where each permit/certification required for the project is discussed.

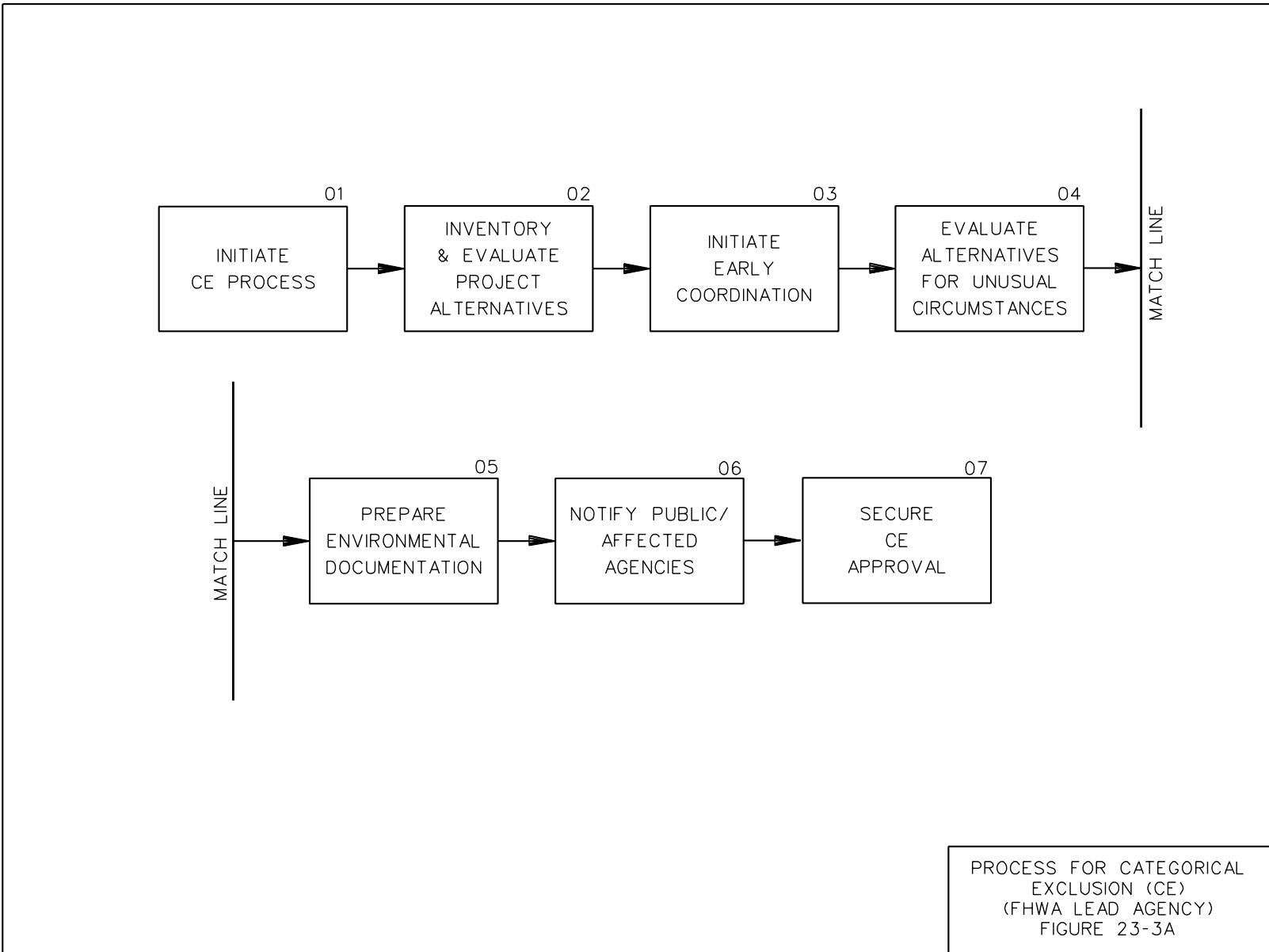
23-2.02(p) List of Preparers








For each person that makes entries in the ECAD Record, include in this section the person's name, organizational affiliation, and initials used to identify their entries.

23-3 THE CE PROCESS


Figure 23-3A presents a network which graphically illustrates the general process for a Categorical Exclusion action. This is followed by a brief description of each activity within the network. The user of Figure 23-3A should consider the following:


1. Lines of Communication. The rigid application of the network would lead to predetermined, precise points at which communication occurs between units. This is neither realistic nor desirable. Communication between units must be continuous. This will result in fewer problems and fewer “surprises” in the process.
2. Lead Agency. Figure 23-3A assumes that the Federal Highway Administration is the lead agency for FHWA-funded projects. If another Federal agency is the lead agency, other procedures may be required.
3. Application. Figure 23-3A applies to all CE projects involving State highway projects regardless of the source of funding.
4. Sequencing/Duration. Figure 23-3B presents a bar chart for the CE process which provides approximate relative sequencing and duration for each activity within the process.



Act. No.	Activity Title	Sequencing and Duration
01	Initiate CE Process	
02	Inventory & Evaluate Project Alternatives	
03	Initiate Early Coordination	 Continue Coordination
04	Evaluate Alternatives for Unusual Circumstances	
05	Prepare Environmental Documentation	
06	Notify Public/Affected Agencies	
07	Secure CE Approval	

Key:

 Primary Activity

 Ongoing As Needed

SEQUENCING/DURATION FOR CATEGORICAL EXCLUSION PROCESS

Figure 23-3B

Categorical Exclusion Process

Activity Title: Initiate CE Process

Activity No.: 01

Responsible Unit: District Office

Activity Description:

For actions that will ultimately be processed with a CE, this is often known at the time of project initiation. This network for the CE process (Figure 23-3A) assumes it is known at the time of project initiation that a CE will be required.

The district will initiate the CE by assigning a team and discussing the project at a coordination meeting. The district may also make an initial determination on whether or not the project will be processed as an ECAD. If yes, the coordination meeting should include obtaining FHWA concurrence on this decision. The district will also assemble project information which may include:

- planning reports or studies,
- record plans (as-builts),
- letters/correspondence on the project,
- traffic data,
- documentation on any public or private meetings,
- original surveys,
- aerial photos,
- statistical data documenting need for improvement,
- scoping data providing recommended improvement,
- Maintenance Management Information System (MMIS) data,
- appropriate information from engineering and Department databases,
- verification that the project is included in the applicable Transportation Improvement Program/State Transportation Improvement Program,
- existing right-of-way,
- information and decisions from the programming process, and
- results of the preliminary field check of project location.

If the district intends to use the Professional Transportation Bulletin to hire a consultant, the district must determine what level of environmental prequalification will be required for the project.

References:

- 40 CFR 1501.2 *Early Application of NEPA*
- 23 CFR 771.115(b) *Definition of Class II (CE) Action*
- Section 22-3.06 *Proposed Action*
- Section 23-1 *General*
- Section 23-2 *Environmental Class of Action Determination (ECAD)*

Categorical Exclusion Process

Activity Title: Inventory and Evaluate Project Alternatives

Activity No.: 02

Responsible Unit: District Office/BDE/FHWA

Activity Description:

Based on the general project design concept, the district office with technical assistance from BDE and FHWA will inventory the affected environment and evaluate the project alternatives as practical at this stage of project development. The evaluation of preliminary alternatives should be sensitive to those environmental resources for which analysis of alternatives for avoidance and minimization of adverse impacts is required (e.g., wetlands, flood plains, Section 4(f) properties/historic sites, and threatened and endangered species). In addition, districts should recognize that avoidance of environmental resources requiring special compliance procedures for impacts should be the preferred course of action. Avoidance of such resources will help to shorten project development time by avoiding the reporting and coordination necessary for compliance. The compilation of these inventories should be pursued only as necessary to provide high-quality information on the environmental impacts of the proposed action and to promote decision making. Discussion of the proposed project with resource agencies at a district coordination meeting may be helpful in determining the optimum level of effort for the inventorying activity.

The district should identify the full range of the environmental inventory by evaluating environmental data bases, discussing the project at a district coordination meeting, and submitting an environmental survey request and Special Waste Assessment Screen/Survey Request Form, as appropriate, to BDE. Resources involved may include:

- Section 4(f) and/or 6(f) properties;
- archaeological and historical properties;
- flood plains;
- sensitive noise receptors;
- prime farmland;
- wetlands;
- threatened or endangered species habitat, nature preserves, and natural areas;
- wild and scenic rivers and Class I streams;
- status of air quality attainment;
- water quality of streams and lakes;
- special waste;
- social/economic characteristics of the population;
- visual quality factors;
- well-head protection areas;
- groundwater recharge areas; and
- other biological resources (biodiversity, riparian habitat, etc.).

After the inventory has been prepared, the district should perform a preliminary evaluation of the magnitude and importance of the potential environmental impacts precipitated by the proposed action. This will assist in initiating the early coordination process (Activity 03).

References:

- 40 CFR 1500.1(b) *Environmental Information for Decision-Making*
- 23 CFR 771.111 *Early Coordination and Public Involvement*
- Background Section of FHWA Technical Advisory T6640.8A
- Chapter 27 *Environmental Surveys*

Categorical Exclusion Process

Activity Title: Initiate Early Coordination

Activity No.: 03

Responsible Unit: District Office/BDE

Activity Description:

Coordination with governmental agencies and the public, as appropriate, is one of the most important aspects of the CE process. This coordination should begin as early as practical in project planning.

As necessary, the district and BDE will initiate early coordination with organizations and persons and appropriate local, State, and Federal agencies that have an interest in the project or have information or expertise concerning environmental issues the project may involve. The purpose of this coordination will be to assist in the evaluation of alternatives and the social, economic, and environmental impacts of the proposed project and possible impact mitigation measures. One specific objective of this early coordination is to gather information from other entities which may assist in the effort to compile an inventory of the affected environment (Activity 02). This may be necessary to identify historic/archaeological sites (SHPO), natural resources (IDNR), land-use activities (local governments), etc. Where written notification is considered appropriate, see Figure 23-3C for a sample letter.

If applicable, the district office should begin developing the public involvement plan for the project at this stage (see Chapter 19).

References:

- 40 CFR 1500.1(b) *Environmental Information for Decision Making*
- 40 CFR 1500.2(d) *Public Involvement*
- 40 CFR 1500.5(b) *Interagency Cooperation*
- 40 CFR 1501.1(b) *Interagency Cooperation*
- 40 CFR 1501.6 *Cooperating Agencies*
- 23 CFR 771.111 *Early Coordination and Public Involvement*
- 23 CFR 771.119(b) *Early Coordination/Scoping*
- Question 9. of CEQ Q&A *Approvals from Other Agencies*
- Section 22-5 *Coordination*
- Chapter 19 *Public Involvement Guidelines*

[Date]

[Address]

Dear Sir or Madam:

The Illinois Department of Transportation is initiating the information gathering phase of activities for the proposed improvement of US Route 45 from Harrisburg to Eldorado. Because the project may affect your area of expertise, your facilities, or your activities or programs, we are seeking your comments on this project.

The study area for the project begins at a point west of Harrisburg along the new Illinois Route 13 and extends to the intersection of US Route 45 with Illinois Route 142 in Eldorado (see Figure 1). The estimated length of the project is 8.6 miles (13.8 km).

Existing US Route 45 is a north/south route that runs along the eastern edge of Harrisburg to Eldorado. The existing route includes two traffic lanes with aggregate-paved shoulders. Pavement width is generally 24 ft (7.2 m). Access is uncontrolled, contributing to high accident rates in areas of commercial development.

The proposed action is to rehabilitate, restore, and resurface US Route 45 between Eldorado and Harrisburg from a point on new Illinois Route 13 west of Harrisburg to US Route 45. The project would include resurfacing the existing pavement, improving drainage, improving the existing at-grade intersections, flattening selected horizontal and vertical curves, and upgrading roadside safety throughout the project length. In addition, the no-action alternative will be evaluated. The proposed project would be designated as Federal Aid Route 332.

We look forward to your response to this request. If you would like to discuss the project in more detail, please contact (*name*) at this office (phone: _____, fax: _____).

Sincerely,

[Name]
District Engineer

292jhs

SAMPLE COORDINATION LETTER

Figure 23-3C

Categorical Exclusion Process

Activity Title: Evaluate Alternatives for Unusual Circumstances

Activity No.: 04

Responsible Unit: District Office/BDE

Activity Description:

As a part of the CE process, the district/BDE must evaluate the project alternatives for any potential unusual circumstances. This will be according to 23 CFR 771.117(b). If significant impacts are likely, an EIS is required for a Federal action. If there is a question on whether or not unusual circumstances are involved, the district may need to perform additional studies and/or prepare an EA.

The district will initiate those studies necessary to determine the environmental impact of the proposed project alternatives. The depth of the studies will be as appropriate for the project consistent with its designation as a CE. The nature of the studies will include:

- coordination with affected local, State, and Federal agencies and the public; and
- an evaluation of the environmental impacts including:

<ul style="list-style-type: none"> + social/economic; + agricultural; + historical/archaeological; + air quality; + noise; + energy; + natural resources, threatened and endangered species; 	<ul style="list-style-type: none"> + water quality/resources; + flood plains; + wetlands; + special waste; + Section 4(f)/6(f);and + other issues as applicable (e.g., Wild and Scenic Rivers, Well-head Protection regulated ground-water recharge areas).
---	---

References:

- 40 CFR 1502.24 *Methodology and Scientific Accuracy*
- 23 CFR 771.117(b) *Unusual Circumstances*
- 23 CFR 771.135 *Section 4(f) Evaluations*
- Paragraph I.B. of FHWA Technical Advisory T6640.8A *Consideration of Unusual Circumstances*
- Section 23-1.04(a) *Evaluation for Unusual Circumstances*
- Chapter 26 *Special Environmental Analyses*

Categorical Exclusion Process

Activity Title: Prepare Environmental Documentation

Activity No.: 05

Responsible Unit: District Office

Activity Description:

Once the district has completed its environmental evaluation of the project alternatives for unusual circumstances (Activity 04), the district will document its findings. The documentation will vary depending upon the CE processing type and whether or not a Phase I Engineering Report is required. CE processing types include the following:

1. Group I. See Section 23-1.05(c).
2. Group II (non-ECAD). See Section 23-1.05(d).
3. Group II (ECAD). See Section 23-2.

Categorical Exclusion Process

Activity Title: Notify Public/Affected Agencies

Activity No.: 06

Responsible Unit: District Office/BDE

Activity Description:

In Activity 03, the district will have made a preliminary identification of those agencies which may have an interest in the project. For proposed CE projects, the district and BDE will coordinate with the public and appropriate agencies to verify the decision, if applicable, that the project includes no unusual circumstances (Activity 04). Typically, the following agencies will be contacted:

- FHWA or other joint lead agency;
- US Environmental Protection Agency;
- Illinois Environmental Protection Agency;
- Corps of Engineers;
- US Fish and Wildlife Service;
- Illinois Department of Natural Resources;
- State Historic Preservation Officer (Illinois Historic Preservation Agency);
- Advisory Council on Historic Preservation;
- Illinois State Clearinghouse;
- Sub-State Clearinghouse(s), Metropolitan Planning Organization(s), or other appropriate local planning agency;
- Natural Resources Conservation Service;
- Illinois Department of Agriculture;
- Governmental land management agencies whose properties are affected; and/or
- other governmental agencies which have special expertise, jurisdiction by law regarding a project issue, or otherwise have an interest in the project.

References:

- 23 CFR 771.111 *Early Coordination/Public Involvement*
- Section 22-5 *Coordination*
- Chapter 19 *Public Involvement Guidelines*

Categorical Exclusion Process

Activity Title: Secure CE Approval

Activity No.: 07

Responsible Unit: District Office

Activity Description:

Group I projects (i.e., those that do not involve "potential for unusual circumstances") may be approved as CE's by the IDOT District Engineer. For Group II projects (i.e., those that have potential for unusual circumstances), the district will secure FHWA approval of the CE designation for FHWA-funded projects and will secure BDE approval for State-only or State/locally funded projects.

The FHWA or BDE CE approval will complete the environmental process for these projects. However, the project must also meet the procedural requirements of any specific environmental impacts identified in the environmental studies (Activity 04). These may include, for example, a separate Section 4(f) Statement, a Section 404 permit, NPDES permit, etc.

References:

- 23 CFR 771.113(a) *Timing of Administration Activities*
- 23 CFR 771.129(c) *Re-evaluations*
- Section 22-3.15 *Ensuring Validity of Environmental and Design Documents*
- Section 23-1.05(c) *Group I Actions*
- Section 23-1.05(d) *Group II Actions*

23-4 ENVIRONMENTAL DOCUMENTATION IN PHASE I ENGINEERING REPORTS FOR CATEGORICAL EXCLUSIONS

References: Section 22-2 *Environmental Documentation*
 Chapter 12 *Phase I Engineering Reports*
 Chapter 26 *Special Environmental Analyses*
 Chapter 27 *Environmental Surveys*
 Chapter 28 *Environmental Permits/Certifications*

23-4.01 General

Although an environmental document is not required for those actions eligible for Categorical Exclusions, the Phase I Engineering Report for such actions must include evidence of consideration of environmental factors, as discussed elsewhere in this chapter. Circulation of a Phase I Engineering Report to outside agencies for comment normally is not required.

23-4.02 Content

Chapter 12 discusses the engineering information included in Phase I Engineering Reports and the overall format and content of the Report. The following provides guidance for the environmental documentation appropriate for inclusion in Phase I Engineering Reports for Categorical Exclusion projects:

1. CE Determination. For projects processed under the ECAD procedures, the signed ECAD Document and the associated ECAD Record(s) should be included in the Phase I Engineering Report and retained in the project file. Where FHWA/BDE requests formal written submittal of an action for concurrence in its classification as a Categorical Exclusion, the Phase I Engineering Report will include information for the specific environmental issues requested by FHWA/BDE. The information must be sufficient to permit an evaluation of whether the environmental effects will involve unusual circumstances (see Section 23-1) requiring preparation of an EIS or EA for Federally-funded/regulated actions or documentation in accordance with 22-2.05(b) for non-Federal actions.

In any other cases where actions are formally submitted for CE concurrence, a discussion will be provided in the Phase I Engineering Report concerning those factors involved with the action indicating potential for unusual circumstances. The information must be adequate to permit an assessment of whether the effects of the action warrant preparation of an EIS or EA for Federally-funded/regulated actions or documentation in accordance with 22-2.05(b) for non-Federal actions.

2. Environmental Surveys and Mitigation Commitments. The Phase I Engineering Report should summarize the results of any necessary environmental screening, surveys, and related coordination for biological resources, wetlands, cultural resources, and special

wastes. If surveys are not required, the basis for this determination should be documented. The Report should include a statement that the CERCLIS list was reviewed and should indicate whether any sites on the list are located within the project limits. In addition, either a copy of the Special Waste screening form or the response to the Preliminary Environmental Site Assessment should be included. Any mitigation commitments resulting from the environmental survey and coordination process should be briefly discussed. Environmental mitigation measures to be implemented for the project should be described. This may include mitigation for wetlands, tree replacement, prairie replacement, etc. See Chapter 27 for more information.

3. Special Reports. These include reports for Section 4(f), wetlands, Section 106, special waste site investigations, etc. Where a special report(s) is prepared, the Phase I Engineering Report should contain a one-paragraph summary of the circumstances, findings, and processing status of each report.
4. Congestion Management System Alternatives. Section 23-1.05(d) includes a description of criteria that determine when Phase I Engineering Reports must include information on Congestion Management System alternatives (i.e., Group II CE projects that would significantly increase capacity for single occupancy vehicles in areas designated as non-attainment for carbon monoxide or ozone). See Section 24-3.06 for recommended wording to address this requirement on applicable projects.
5. Coordination. Section 22-5 and Section 23-3 (the CE Process) discuss the coordination required for a CE action. This should be summarized in the Phase I Engineering Report. Specifically, where coordination with the Natural Resources Conservation Service and/or the Illinois Department of Agriculture is required, the Phase I Engineering Report should include a brief summary of the results of the coordination (e.g., a copy of Form AD-1006, when required, and/or a synopsis of comments received and the related responses).
6. Permits. The Phase I Engineering Report should indicate those permits (e.g., Section 404, Section 402, National Pollutant Discharge Elimination System [NPDES], Section 10, IDNR Office of Water Resources) that will be required for the project.

23-4.03 Processing

For all CE projects requiring Phase I Engineering Reports, districts must include appropriate environmental information to document the basis for determining that the project qualifies as a CE. BDE will review the Phase I Engineering Reports for CE projects for the following environmental information:

- the CE certification paragraph signed by the District Engineer for Group I projects or documentation of CE concurrence from FHWA (for Federal projects) or BDE for Group II projects;

- information on the need for and results of environmental surveys;
- information indicating the environmental issues involved and why the project would not result in significant impacts on those issues (for ECAD projects, this would be the ECAD Record and ECAD Document);
- documentation of compliance with special waste procedures and other applicable requirements for specific environmental issues involved; and
- information on the need for and status of any environmental permits.

When Phase I Engineering Reports for Group I and Group II projects are submitted for Design Approval, BDE will advise the district of any problems or deficiencies with the environmental information and will provide recommendations, as appropriate, for correcting the problems or deficiencies. FHWA will be provided Phase I Engineering Reports for review only on new Interstate projects or Interstate reconstruction projects over \$1 million.

